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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,412	12/03/2001	Kwang Soo Choe	K-0345	5933

34610 7590 08/10/2006

FLESHNER & KIM, LLP
P.O. BOX 221200
CHANTILLY, VA 20153

EXAMINER

NELSON, FREDA ANN

ART UNIT	PAPER NUMBER
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3639

DATE MAILED: 08/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/998,412

Applicant(s)

CHOE ET AL.

Examiner

Freda A. Nelson

Art Unit

3639

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 19 July 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-5 and 10-12.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____

Freda Nelson

John W. Hayes
JOHN W. HAYES
SUPERVISORY PATENT EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because: In response to applicant's arguments that Peterson et al. do not disclose or suggest anything related to a database server storing credit information for dealing companies, the examiner respectfully disagrees. Peterson et al. discloses that "in the step 66, an information network is utilized to communicate to the end user the price and quantity of items for sale by the vendor to the customer; and in a step 68, an agreement is established between the vendor and the end user regulating the terms of future sales by the vendor using the information network. Typically, this agreement covers such items as terms for payment, shipping methods, and agreements for the vendor to sell the item at the vendor's then currently communicated price on demand of the end user" (see paragraphs [0049],[0059]).

In response to applicant's arguments that Peterson et al. do not disclose or suggest acquiring information about each of the plurality of dealing companies and registering the acquired information on the database server, the examiner respectfully disagrees. Peterson et al. discloses that "plurality of vendors (distributors) of an item is provided with an information network for communicating among the vendors information about the quantity of the item each vendor has in inventory. Preferably, the price of the item as determined by each vendor for sale to other authorized distributors is also shared. More preferably, binding agreements are established between various ones of the vendors that regulate the terms of future sales of the item between the parties to the agreements (see paragraph [0004]).

In response to applicant's argument that Peterson et al. do not disclose order restriction information of a plurality of products, the examiner respectfully disagrees. Peterson et al. disclose "the Menu Section presents the services to which the user has access and as previously indicated, not all end users have the same privileges. For example, some vendors may have elected to share inventory information with other vendors but may not have elected to purchase items over the information network. In such cases, their Depots would present them with only the Inventory Network and the Parts Trader menu options (see paragraph [0077]).

In response to applicant's arguments that Peterson et al. do not disclose a server configured to store information relating to product order errors, the examiner respectfully disagrees. Peterson et al. disclose that "the Applications Link area is displayed as part of a step 328, performed simultaneously with the steps 326 and 327. Links which are included in the Applications Link area include "View Order", "Add An Item To Order", "Submit Order", "Cancel Order", "Key Word List", "Manual Entry", and "Shipping Information" (see paragraphs [0151], [0168], [0171]). Peterson et al. further disclose that "the user can capture the displayed Order Form page for printing, accepting the form as is, or go back and make any corrections or deletions, or delete the entire order" (see paragraphs [0168],[0171]).